

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3210-02
Bill No.: HB 914
Subject: Abortion; Health Care; Health Care Professionals; Hospitals; Physicians
Type: Original
Date: February 18, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services**, the **Department of Economic Development - Division of Professional Registration**, and the **Department of Health and Senior Services** assume this proposal would not fiscally impact their agencies.

Officials from **Cooper County Hospital** and the **Pemiscot County Hospital** did not respond to our fiscal note request. **Oversight** assumes the costs to other county hospitals would be minimal.

Officials from the **Secretary of State Office (SOS)** state this proposal allows a pregnant woman to determine the final disposition of the remains of a fetal death. Based on experience with other divisions, the rules, regulations and forms issued by the Department of Health and Senior Services could require as many as 6 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the Code is \$27. The actual cost could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn. The SOS estimates the cost for FY 05 only to be \$369.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses which are health care facilities would be affected by this proposal.

DESCRIPTION

This proposal contains provisions pertaining to the disposition of human fetal remains. The proposal:

- (1) Requires that a pregnant woman have the option of treating the remains of a fetal death in the same manner as the remains of a deceased person in accordance with state law;
- (2) Requires treating physicians to inform a pregnant woman of her rights regarding the disposition of human fetal remains if she proceeds with an abortion;
- (3) Requires health care providers, upon a timely request of a pregnant woman, to release to the woman or her designee the remains of a fetal death for final disposition in accordance with state law. If no timely request is made, health care providers are not required to maintain or preserve the human fetal remains;
- (4) Allows a health care provider to conduct or acquire medical tests on the human fetal remains prior to release of the remains;

DESCRIPTION (continued)

(5) Allows health care providers to require a release of liability prior to the release of human fetal remains; and

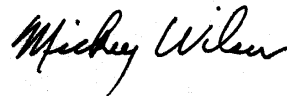
(6) Exempts health care providers from civil and criminal liability, suit, or sanction with regard to any action taken in good faith compliance with the bill.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration -
Administrative Hearing Committee
Office of State Courts Administrator
Department of Health and Senior Services
Department of Social Services
Secretary of State
Department of Economic Development -
Division of Professional Registration

Not Responding: Cooper County Hospital and the Pemiscot County Hospital



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Director
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